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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,357	11/19/2001	Rasmus Relander	P 284077 2000934US/Lt/kp	8356
909	7590	03/24/2005	EXAMINER	
PILLSBURY WINTHROP, LLP P.O. BOX 10500 MCLEAN, VA 22102			ADAMS, JONATHAN R	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,357

Applicant(s)

RELANDER ET AL.

Examiner

Jonathan R Adams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 rejected under 35 U.S.C. 112, first paragraph, as because a ^{step}means recitation does not appear in combination with another recited element of ^{step}means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph (Single means claim). See *In re Hyatt*, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983)

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-8, 10-14, 16-21 rejected under 35 U.S.C. 102(b) as being anticipated by applicant admitted prior art, "Encrypted Video over TETRA" (hereafter referred to as EVT). The reference TETRA – a Whatis.com Definition is provided as a definitive reference for the TETRA protocol (hereafter referred to as Whatis).

As to claim(s) 1, 7, 13:

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3. EVT teaches a method for sending synchronized encrypted video over a packet based network comprising:

- End to end encryption / End to end encryption (Page 1, Line 2, EVT)
- Synchronized through use of synchronization vectors / synchronization frame (Page 1, Paragraph 3, EVT)
- Packet switched communication connection / Data packet communication (Page 1, Line 7, EVT)
- Reproduction delay for transmitted data can be increased/reduced by adding/removing frames from frame sequence / Synchronization frames are inserted to the transmitted video stream between successive video frames (Page 2, Paragraph 2, EVT), dropped packets (Page 3, Paragraph 2, EVT)
- Changing the reproduction delay during the data transmission where next frame has sync vector / It is required to correctly update the IV of the decryption unit to correctly decrypt the subsequent packets (Page 3, Paragraph 2, EVT)

4. As to claim(s) 2, 8, 14:

Monitoring frames arriving at the receiving end / Identifying synchronization vectors in the frames / the receiver can independently determine the starting IV value of each received packet if it can detect dropped packet (Page 3, paragraph 6, EVT)

Changing the reproduction delay during the data transmission where next frame has sync vector / It is required to correctly update the IV of the decryption unit to correctly decrypt the subsequent packets (Page 3, Paragraph 2, EVT)

5. As to claim(s) 4, 10, 16:

Telecommunications protocol belongs to the TETRA system / Encrypted video over TETRA (Page 1, Line 1, EVT)

6. As to claim(s) 5, 11, 17:

Encryption is carried out using a key stream segment generated using an initialization vector / IV if the receiver decryption unit is updated according to the received IV. It is very important to maintain synchronization of the receiver key stream (Page 3, Paragraph 1, EVT)

7. As to claim(s) 6, 12, 18:

Synchronization vector comprises Initialization vector / Initialization vector provides synchronization and can therefor be defined as a synchronization vector

8. As to claim(s) 19, 20, 21:

Network element is TETRA dispatcher workstation / base station / media gateway / communications to and from a central office or dispatcher (Page 1, Paragraph 2, What is)

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9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 3, 9, 15 rejected under 35 U.S.C. 103(a) as being unpatentable over EVT in view of Jakobsen et al., US Patent No 6374108 (hereafter referred to as '108).

As to claim(s) 3, 9, 15:

11. EVT teaches a method for sending synchronized encrypted video over a packet network. EVT does not specifically teach that the packet network should be based on an Internet protocol. '108 teaches a TETRA based communication system for use over an IP (Internet Protocol) based network (Col 3, Lines 4-9, '108). It would have been obvious to a person of ordinary skill in the art at the time of invention to use IP for the packet based networking protocol of EVT as done in '108. One of ordinary skill in the art would have been motivated to use IP for the packet based networking protocol of EVT as done in '108 because IP is the most commonly used packet based network protocol.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is

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(571)272-3832. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (571)272-3838. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100